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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/574,028 | Bernhard Mussig | 101769354KGB |

27384
 NORRIS, MCLAUGHLIN & MARCUS, PA
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| INTERNATIONAL APPLICATION NO. | |
|-------------------------------|---------------|
| PCT/EP04/52213 | |
| I.A. FILING DATE | PRIORITY DATE |
| 09/16/2004 | 10/14/2003 |

CONFIRMATION NO. 8038

371 FORMALITIES LETTER



OC00000023010194

Date Mailed: 03/21/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 03/23/2006
- English Translation of the IA filed on 02/09/2007
- Copy of the International Search Report filed on 03/23/2006
- Preliminary Amendments filed on 02/09/2007
- Information Disclosure Statements filed on 03/23/2006
- Oath or Declaration filed on 02/09/2007
- Request for Immediate Examination filed on 03/23/2006
- U.S. Basic National Fees filed on 03/23/2006
- Substitute Specification filed on 03/23/2006
- Assignment filed on 02/09/2007
- Priority Documents filed on 03/23/2006

Applicant's response filed 02/09/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 10/10/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
 - there was no english translation of publish text as filed, only sub spec. & mark up copy of sub spec.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30

months from the priority date (37 CFR 1.492(i)).

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
 - the oath that you filed 2/9/07 belong to another

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

- **\$130** for English translation surcharge not received in full.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

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PART 2 - OFFICE COPY

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